

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1307

House Bill No. 1880*

by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 68, Chapter 212, is amended by adding Sections 2 through 4 of this act as a new part.

Section 2. The title of this act is, and may be cited as, the "Community Right to Know Act of 1997".

Section 3. As used in this act, unless the context otherwise requires:

(1) "Facility" includes any governmental or nongovernmental entity which employs ten (10) or more full-time employees and:

(a) which manufactures, imports or processes twenty-five thousand (25,000) or more pounds of any one (1) toxic chemical per year; or

(b) which otherwise uses ten thousand (10,000) pounds or more of any one (1) toxic chemical per year.

(2) "Toxic chemical" means any chemical included in the U.S. environmental protection agency's chemical release reporting requirements under Section 313 of the Emergency Planning and Community Right to Know Act in effect on April 15, 1997.

Section 4. (a) Each facility shall file with the department of environment and conservation a concise report on management options for toxic chemicals to reduce their release into the environment. Such report shall contain the following information:

(1) Identification and description of the major technical alternatives that the facility could implement that would reduce the facility's environmental release

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of toxic chemicals. These alternatives would include control technologies, pollution prevention strategies, substitution of less toxic chemicals, and other techniques.

(2) Information on the cost of the alternative, the emission reductions that would be achieved, the environmental, natural resource and quality of life impacts that the alternative would generate and other information relevant to the facility's decision on whether to select that particular alternative for the plant.

(3) An explanation of why the facility decided to choose a specific reduction strategy, if any, and not others or why the facility decided not to implement any reduction strategy.

(b) The report required to be filed pursuant to subsection (a) shall be written in nontechnical language which is written in a manner which can be understood by an average citizen. It is the intention of the general assembly that such reports not be exhaustive technical studies but instead that such reports be brief reports (with liberal use of graphics and no technical terms of art) which are designed to increase public understanding of the principal reduction options available to the facility.

(c) Each facility shall file the report required by subsection (a) as follows:

(1) Five (5) copies with the commissioner of environment and conservation,

(2) Five (5) copies with the regional office of the department of environment and conservation in the region in which the facility is located, and

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(3) Five (5) copies with each public library in the county in which the facility is located.

(d) Reports required by the provisions of this act shall be filed no later than June 30, 1998 and every four (4) years thereafter. However, if a facility releases to the environment any toxic chemical which has not previously been included in a report or the volume of release to the environment of any toxic chemical which has been included in a report has increased by twenty-five percent (25%), then such facility shall file an amendment to the previously filed report within one (1) year of such release. Any new facility which is required to make a report by the provisions of this act shall file such report within one (1) year of commencing operations and thereafter in accordance with the provisions of this section.

Section 5. The provisions of this act shall take effect upon becoming a law, the public welfare requiring it.

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